

ARDC No. 03121542

6975-08004/WGB/MMS/kas

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

|  |   |                               |
|--|---|-------------------------------|
| DR. CARY BORTNICK, M.D. and DIANE BORTNICK,    | ) |                               |
|  | ) |                               |
| Plaintiffs,                                    | ) |                               |
| v.   | ) | No. 08 CV 3560                |
|  | ) |                               |
| CHASE HOME FINANCE, L.L.C., a Delaware Limited | ) |                               |
| Liability Company, and AMERICAN SECURITY       | ) | Judge Wayne R. Andersen       |
| INSURANCE COMPANY d/b/a ASSURANT               | ) |                               |
| SPECIALTY PROPERTY,                            | ) | Magistrate Judge Susan E. Cox |
|  | ) |                               |
| Defendants.                                    | ) |                               |

AGREED JOINT MOTION FOR EXTENSION OF TIME

Defendants, AMERICAN SECURITY INSURANCE COMPANY, incorrectly sued as AMERICAN SECURITY INSURANCE COMPANY d/b/a ASSURANT SPECIALTY PROPERTY, by and through its attorneys, William G. Beatty and Meghan M. Sciortino, JOHNSON & BELL, LTD., of counsel, and CHASE HOME FINANCE, L.L.C., by and through its attorneys, Edward J. Lesniak and Robert J. Emanuel, BURKE, WARREN, MACKAY & SERRITELLA, P.C., respectfully request that this Honorable Court enter an order granting them an additional thirty (30) days, up to and including September 8, 2008, within which to file their answers or otherwise plead to the plaintiffs' complaint at law. In support thereof, defendants state as follows:

1. On July 3, 2008, this Honorable Court granted defendants until August 8, 2008 to file their responsive pleadings to plaintiffs' complaint at law.
2. Since that time, the parties have been actively involved in settlement discussions.
3. Rather than expending time and resources drafting, briefing and arguing motions to dismiss directed to plaintiffs' pleadings, the parties wish to concentrate their efforts in the ongoing attempts to resolve this case, and therefore the defendants, with the agreement of plaintiffs' counsel, respectfully move for the entry of an order enlarging the time for their responsive pleadings so that they can continue to focus on a potential resolution of this matter.

4. This motion is by agreement of plaintiffs, through their attorney Elliot M. Samuels with whom the undersigned attorney, William G. Beatty, spoke on August 4, 2008 to obtain his agreement to the requested extension.

WHEREFORE, Defendants, AMERICAN SECURITY INSURANCE COMPANY, incorrectly sued as AMERICAN SECURITY INSURANCE COMPANY d/b/a ASSURANT SPECIALTY PROPERTY and CHASE HOME FINANCE, L.L.C. respectfully requests that this Honorable Court enter an order granting them an additional thirty (30) days, up to and including September 8, 2008, within which to file their answers or otherwise plead to the plaintiffs' complaint at law.

Respectfully submitted,

/s/ William G. Beatty  
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CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2008 I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

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